

Court of Appeals, State of Michigan

ORDER

Estate of Mira E Abay v DaimlerChrysler Insurance Co

Docket No. 283624

LC No. 2006-075016-CK

E. Thomas Fitzgerald
Presiding Judge

Michael J. Talbot

Douglas B. Shapiro
Judges

The Court orders that the captions in the August 13, 2009, opinions are AMENDED to correctly identify DaimlerChrysler Corporation, a/k/a Chrysler LLC, as an appellant, as shown on the claim of appeal. The majority opinion is additionally amended as follows:

The first sentence of the opinion is modified to: "Defendants DaimlerChrysler Insurance Company (DCIC) and DaimlerChrysler Corporation, a/k/a Chrysler LLC, appeal as of right the order denying their motion for summary disposition and granting summary disposition in plaintiff's favor in this action for a declaratory judgment regarding coverage under a DCIC insurance policy."

The first sentence of the fifth paragraph is modified to: "DCIC and DaimlerChrysler moved for summary disposition of plaintiff's complaint."

Footnote 3 is modified to: "Although Trent also moved for summary disposition, he is not a party to this appeal. Therefore, the use of the term defendants refers to DCIC and DaimlerChrysler."

Further instances of the word "defendant's" or "defendant" in the first two full paragraphs on page 3, the last paragraph starting on page 5, and the last paragraph starting on page 7 are modified to "defendants" or "defendants."

The last sentence of the opinion is modified to "Defendants DCIC and DaimlerChrysler, being the prevailing parties, may tax costs pursuant to MCR 7.219."

In all other respects, the August 13, 2009, opinion remains unchanged.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 15 2009

Date

Sandra Schultz Mengel
Chief Clerk